

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

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MAR 31 2022

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT

for the

~~EASTERN~~ District of MISSOURI

Division

VIVIAN HOUSTON, Johnnie L Ball

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

CHRISTOPHER J KIAVERKAMP
SCOTT AMOS

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

4:22-cv-00371 RLW

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Virian Houston and Johnnie Bell

Address

10400 Saint Ives Drives

st Louis

City

Mo.

State

63136

Zip Code

County

Telephone Number

314-378-4970

E-Mail Address

heavy silk1958@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Christopher Kiaverkamp

Job or Title (if known)

Assistant Prosecutor

Address

100 South Central Ave 2ND Floor PIA's office

Clayton

City

Mo.

State

63105

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 2

Name

Scott Amos

Job or Title (if known)

Captain

Address

52 Young Drive

Ferguson

City

Mo.

State

63135

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☒Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Eighth Amendment

4th Amendment and Fourteenth Amendment section 1

Constitutional CIVIL Rights Under the 1983 “Color of Law”

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Fourteenth Amendment - Due Process - Deliberate Fabrication

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed. December 6, 2021 Christopher Krauekamp and Scott Amos coerce together and fabricated seize evidence and filed a false police report on plaintiff's son Isaiah Houston by obtaining a search warrant after reporting to the news media that there was possession of a weapon, "having a search warrant issue later the same night seeking for the same firearm that they reported to the media that was used in the Metro bus driver shooting on December 3, 2021."

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur? Date over December 6th 2021 at address 5867 Harney Ave Suite 40336, and prosecutor exploit with a search warrant told me his plans to put my son in jail for along time on Jan. 14, 2022 in the court room has limit his calls putting in a hole December after his arrest for three weeks, violated his sixth Amendment.
- B. What date and approximate time did the events giving rise to your claim(s) occur? time was around midnight or a little after 12/06/2021 went into 5867 again with notifying me 12/08/21 and got a blue tarp. Entering my home with my son house keep the tarp was in the basement when question Captain Scott Amos he told me they got the tarp because the prosecutor Christopher L. Krauekamp told them too.
- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) My Fourth Amendment was violated it was a invasion of my privacy and unlawfully in trades into my private affairs and publicize address 5800 Harney notifies PT Cruiser, and cause damages inside and outside Plaintiff's residence, and vehicle was towed twice before release to me, 12-8-2021 a detective enter my residence again while no one was there with my son keys and went down the basement and got a blue tarp without contacting me they were going to enter after doing this in ball faith, Prosecutor Christopher Krauekamp who there is a three party contract plaintiff's and husband Johnnie Ball plaintiff had hired a defence attorney to represent our son Isaiah Houston under case number 215K-CR05627 and ~~change the~~ change the case number by combining it with case number 215K-CR05657-01 after an order of Nolle prosequi and placed it in confidential, Johnnie Ball seen all this

Federal Question

"Why is Hate crime ALLOW BY Police
OR Judges, BIAS BASE ON THEIR OPINIONS
AND NOT UNDER THE U.S. CONSTITUTION
and the LAWS OF THE STATE, AND DONE
SECRETLY Disposed and SEALED OFF
Defendant's Rights under the 4th Amendment
and deny REDRESS from an unlawfully
SEARCH WARRANT BECAUSE NOT ATTORNEY
OF CAN'T afford ONE, isn't That violating
Plaintiff's 14th Amendment

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Plaintiff Vivian Houston was and is humiliated by putting my son photo on national TV, and newspapers and over the world, brought shame with the untruthful statement about my son continue and on going, treating my son cruel, Prosecutor had him put in where they ~~th~~ keep those who has mental problems, not docket entries on case and limits him calling, and has cause emotional stress and can't sleep plaintiff and Johnie my husband has been married for six months and has cause us just about to separate and continue to slander and mislead the public. Lies about the media, face book and news papers fixed it were my son case has to be a bench trial because no jury would not find his innocent though the media and exploit these lies my son derrio A ~~Bond~~ acting as he is CRAZY just because protesting in Kansas City for my other son that is innocent and was seen on channel 9 November 29, 2021 prior to his arrest issuing a search warrant in my name seeking papers I have on my son Michael Houston Innocent

FIRST AMENDMENT

Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. December 6, 2021 unlawful search and seize followed by my car was towed twice and tire was cut and hatch back besides the antenna on my car 12-7-2021, 12/8/2021 a blue tarp was taken from my basement, the detective entered in with my son house key without contact me and refuse to return my house keys, slander my name on natural television, face book, newspaper around the world spreading lies untruthful about my son and frightening my son and terrifying him, and myself being afraid to even go to my home 5967 Herney Ave for a long period of time, Punitive damages of 10 Million Dollars interfere in three party contract causing to lose the sum of \$3000 with monetary compensation on the harm that was done at 5967 Herney Ave by prying open my security door and doors in closets and breaking personal property and the return of the unlawful stuff taken, taken from the car my son shoes and cellphone and house key

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3-30-2022

Signature of Plaintiff

Printed Name of Plaintiff

[Signature]
Wanda Houston

[Signature]
Johnnie L Ball

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address